

Express Mail No. EL610087586US

Attorney Docket No. STT/29

**DECLARATION, POWER OF ATTORNEY, AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FUSIBLE NON-WOVEN FIBROUS WEB

the specification of which (check one below):

- ☒ is attached hereto.
- ☐ was filed on \_\_\_ as Application Serial No. \_\_\_ or Express Mail No. \_\_\_, and was amended on \_\_\_ (if applicable).
- ☐ was filed on \_\_\_ as PCT International Application No. \_\_\_, and as amended under PCT Article 19 on \_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed?

_____ (Number)	_____ (Country)	_____ Day/Month/Year Filed	( ) Yes ( ) No
_____ (Number)	_____ (Country)	_____ Day/Month/Year Filed	( ) Yes ( ) No
_____ (Number)	_____ (Country)	_____ Day/Month/Year Filed	( ) Yes ( ) No

I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Serial No.)	_____ (Filing Date)	_____ (Status: Patented, Pending, or Abandoned)
_____ (Serial No.)	_____ (Filing Date)	_____ (Status: Patented, Pending, or Abandoned)
_____ (Serial No.)	_____ (Filing Date)	_____ (Status: Patented, Pending, or Abandoned)

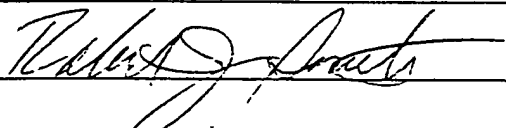
I hereby appoint John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), Kevin G. Rooney (R. No. 36,330), Keith R. Haupt (R. No. 37,638), Theodore R. Remaklus (R. No. 38,754), Thomas W. Humphrey (R. No. 34,353), Scott A. Stinebruner (R. No. 38,323), Joseph R. Jordan (R. No. 25,686), C. Richard Eby (R. No. 25,854), David E. Pritchard (R. No. 38,273), David H. Brinkman (R. No. 40,532), J. Dwight Poffenberger, Jr. (R. No. 35,324), Beverly A. Lyman, Ph.D. (R. No. 41,961), Kristi L. Davidson (R. No. 44,643), P. Andrew Blatt, Ph.D. (R. No. 44,540), David E. Jefferies (R. No. 46,800), David E. Franklin (R. No. 39,194), all of Wood, Herron & Evans, L.L.P., 2700 Carew Tower, 441 Vine Street, Cincinnati, OH

45202-2917, telephone no. (513) 241-2324, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence and telephone calls to

David J. Josephic  
Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202-2917  
Telephone (513) 241-2324

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor Robert J. South  
Inventor's Signature  Date 5/30/01  
Residence City/State Hamilton, Ohio Citizenship USA  
Post Office Address 7133 Lookout Court  
Hamilton, OH 45011

**POWER OF ATTORNEY**

**The undersigned states that:**

1. He is an authorized representative having the title hereunder, of L & P Property Management Company, a corporation organized and existing under the laws of the State of Delaware, having a principal office and place of business in 4095 Firestone Boulevard, South Gate, California 90280;
2. L & P Property Management Company is the Assignee of the entire right, title, and interest in and to the subject matter which is claimed and for which a patent is sought on the invention entitled "**Fusible Non-Woven Fibrous Web**," the specification of which was filed on June 4, 2001 as Application Serial No. 09/873,597, or, if not identified here by filing date and serial number, is attached hereto; and
3. Assignee's rights are by virtue of an assignment of the patent application identified above, which assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached and has been submitted to the Assignment Division in accordance with 37 C.F.R. Part 3, for recordation in the records of the United States Patent and Trademark Office.

**The undersigned hereby appoints:**

Kristin Jordan Harkins	Reg. No. 37,859;	Gene C. Vallow	Reg. No. 40,856
Michael S. Bush	Reg. No. 31,745;	Rodney B. Carroll	Reg. No. 39,624
Michael W. Piper	Reg. No. 39,800;	Shannon W. Bates	Reg. No. 47,412
Albert C. Metrailer	Reg. No. 27,145;	J. Robert Brown	Reg. No. 45,438

all attorneys with the law firm of Conley Rose, P.C., as assignee's attorney(s) and/or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

**CORRESPONDENCE**

Please direct all correspondence and telephone calls to:

Kristin Jordan Harkins  
CONLEY ROSE, P.C.  
5700 Granite Parkway, Suite 330  
Plano, TX 75024  
(972)731-2288  
(972)731-2289 (Facsimile)  
(972)731-2277 (Direct Dial)

L & P Property Management Company

By: Gene B. Kartchner  
Gene B. Kartchner, Vice President

Date: Sept. 11, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Robert J. SouthApplication No./Patent No.: 09/873,597 Filed/Issue Date: June 4, 2001Entitled: Fusible Non-woven Fibrous WebL&P Property Management, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)  
**Company**

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.**OR**B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: Robert J. South To: The Stearns Technical Textiles  
The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_ Company  
Reel 01187, Frame 0983, or for which a copy thereof is attached.2. From: The Stearns Technical Textiles Company To: L&P Property Management Company  
The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

November 13, 2003

Date

972 731-2288

Telephone number

Albert C. Metrailler

Typed or printed name

Albert C. Metrailler

Signature

Attorney for Assignee

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## RECORDATION FORM COVER SHEET

U. S. DEPARTMENT OF COMMERCE

OMB No. 0651-0011 (exp. 4/94)

**PATENTS ONLY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying parties(ies): Execution Date:

The Stearns Technical Textiles Company 07/28/2003

Additional name(s) of conveying party(ies):

Attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

L & P Property Management Company  
A Delaware Corporation  
4095 Firestone Blvd.  
South Gate, CA 90280

Additional name(s) &amp; address(es)

Attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

4. Application number(s) or patent number(s): \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s).  
09/873,597 filed June 4, 2001

B. Patent No.(s).

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Kristin Jordan Harkins  
CONLEY ROSE, P.C.  
5700 Granite Pkwy., Suite 330  
Plano, TX 75024  
972/731-2288  
972/731-2289 (Facsimile)6. Total number of application and patents involved: 17. Total fee (37 CFR 3.41) .....\$ 40.00☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number: 50-1515

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Kristin Jordan Harkins, Reg No. 37,859  
Name of Person SigningKristin Jordan Harkins  
Signature9-2-03  
Date

Total number of pages including cover sheet, attachments, and documents: 6

Mail documents to be recorded with required cover sheet information to:

MS Assignment Recordation Services

Commissioner of Patents

PO Box 1450, Alexandria, VA 22313-1450

31283 U.S. PTO  
10/712468

111303

## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), dated as of July 28, 2003, is made by and among THE STEARNS TECHNICAL TEXTILES COMPANY, an Ohio corporation with its principal place of business situated in the State of Ohio ("Seller"); LEGGETT & PLATT, INCORPORATED, a Missouri corporation with its principal place of business situated in the State of Missouri ("Buyer"); and L&P PROPERTY MANAGEMENT COMPANY, a company related to Buyer and a Delaware corporation with its principal place of business situated in the State of California ("L&P").

### RECTALS

WHEREAS, pursuant to a certain Asset Purchase Agreement ("APA") executed on or about the date of this Assignment, Buyer is purchasing from Seller certain assets and properties, including without limitation patents and patent applications, which are related to Seller's Consumer Products business based in Cincinnati, Ohio, with operations in Cincinnati, Ohio; Camden, Ohio; and Trenton, Ontario, for the production of certain products;

WHEREAS, Seller and Buyer desire to formalize their agreement as to the assignment of any and all patents and patent applications related to Seller's Consumer Products business, including without limitation all of Seller's right, title and interest in, to and under any and all patents and patent applications, and the inventions described therein; and,

WHEREAS, Buyer desires to direct Seller to assign the patents and patent applications, and the inventions described therein to its related company, L&P.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the parties intending to be legally bound agree as follows:

1. Definition of Patent Rights: The term "Patent Rights" shall mean those rights covered by U.S. Patent Application serial No. 09/873,597, filing date: June 14, 2001, titled: FUSIBLE NON-WOVEN FIBROUS WEB, together with any rights of Seller in the invention(s) to which such application relates.

2. Representations and Warranties: All representations and warranties made by Seller, in the APA are incorporated into this Assignment.

3. Patent Assignment: Seller does hereby sell, assign and transfer unto L&P, its successors, assigns and legal representatives, all of Seller's right, title and interest in all the Patent Rights, the inventions described and claimed therein, including any applications or provisional applications now or hereafter filed in any jurisdiction worldwide, including any reissues, divisionals, continuations, continuations-in-part, extensions or foreign counterparts of the Patent Rights heretofore or hereafter granted, any and all letters patent which may be granted therefore, together with all claims for damages in any applicable jurisdiction by reason of past, present, or future infringement thereof, with the right to sue for, and collect the same for its own use and enjoyment, the same to be held and enjoyed by L&P for its own use, and the use of L&P's successors and assigns, as fully and entirely as the same would have been held and enjoyed by Seller if this Assignment had not been made. At L&P or Buyer's request and expense, Seller agrees further to cooperate with L&P or Buyer in any suit or process for dispute resolution, based on claims the Patent Rights assigned herein have been infringed.

\*Clerical error, actual filing date is June 4, 2001



4. Delivery of Materials: Upon execution of this Assignment, Seller shall deliver to Buyer all of Seller's documents and files relating to the Patent Rights, including without limitation all laboratory notebooks and other documentation of conception and reduction to practice of the inventions included in the Patent Rights. Seller shall be permitted to retain copies of all such documents and files.

Any materials mentioned in this section which are held by Seller's counsel or any third party from which Seller has the right to obtain such materials shall be considered Seller's documents and files.

5. Cooperation: At L&P or Buyer's request and expense, Seller covenants that it will cooperate with L&P or Buyer in perfecting any interests in the Patent Rights. To carry out in good faith the intent and purpose of this Assignment and to facilitate prosecution and enforcement of the Patent Rights in all countries in the world, the Seller will execute, and shall use its best efforts to have inventors execute when needed, all appropriate oaths, declarations, assignments, powers of attorney and other documents.

[remainder of this page intentionally blank]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

THE STEARNS TECHNICAL TEXTILES COMPANY

By: Thomas R. Dunham

Name: Thomas L. Dunham

Title: Interim CEO

County of Hamilton

State of Ohio

On this 28<sup>th</sup> day of July, 2003, personally appeared before me, Thomas L. Dunham, to me known and known to me to be the person aforesaid, who duly acknowledged the signing of the foregoing instrument to be his/her voluntary act and deed, and as Interim CEO (title) of The Stearns Technical Textiles Company did execute the same for the uses and purposes therein set forth.

(Seal)

Charles M. Meyer  
Notary Public

CHARLES M. MEYER, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 O. R. C.

LEGGETT & PLATT, INCORPORATED

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

**THE STEARNS TECHNICAL TEXTILES COMPANY**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

County of \_\_\_\_\_

State of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2003, personally appeared before me, \_\_\_\_\_, to me known and known to me to be the person aforesaid, who duly acknowledged the signing of the foregoing instrument to be his/her voluntary act and deed, and as \_\_\_\_\_ (title) of The Stearns Technical Textiles Company did execute the same for the uses and purposes therein set forth.

(Seal)

\_\_\_\_\_  
Notary Public

**LEGGETT & PLATT, INCORPORATED**

By: Robert A. Wagner

Name: Robert A. Wagner

Title: Vice President-Mergers & Acquisitions

Acknowledged and Accepted By:

L&P PROPERTY MANAGEMENT COMPANY

By: Gene B. Kartchner

Name: Gene B. Kartchner

Title: Vice President

# CONLEY ROSE

A Professional Corporation

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INTELLECTUAL PROPERTY LAW  
INCLUDING PATENTS, TRADEMARKS,  
COPYRIGHTS AND UNFAIR COMPETITION

Writer's Direct Dial  
(972) 731-2277  
email: kharkins@dfw.conleyrose.com

September 2, 2003

MAIL STOP ASSIGNMENT  
RECORDATION SERVICES  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Assignment Recordation Services, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 9/2/2003.

*Stephanie L. Hall*

Re: Recordation Form Cover Sheet  
Assignment from The Stearns Technical Textiles Company to L & P Property  
Management Company  
Our File: 4003-10700

Commissioner:

Enclosed are the following documents for filing:

1. Recordation Form Cover Sheet;
2. Patent Assignment;
3. Check for \$40.00;
4. Acknowledgement post card; and
5. This transmittal letter.

Please date-stamp the acknowledgment postcard and return it to the undersigned to confirm receipt of the above documents. Please charge Deposit Account No. 50-1515 for any fees or credits that may be due.

Thank you for your assistance in this matter.

Best regards,

CONLEY ROSE, P.C.

*Kristin Jordan Harkins*  
Kristin Jordan Harkins

KJH/slh  
Enclosures